

SAXIS, TOWN OF
County of Accomack.

Incorporation and charter, 1896, c. 441; repealed 1912, c. 208.

Incorporated by order of the Circuit Court of Accomack County, March 18, 1959 (Book 1958-62, p. 68).

Note: A photocopy of the circuit court order is available in the Legislative Reference Center at the Division of Legislative Services.

Virginia:- In the Clerk's Office of the Circuit Court for the County of Accomack, in the vacation of the said Court, on the 18th day of March, A.D., 1959.

The following order under the hand of the Honorable Jeff F. Walter, Judge of the 31st Judicial Circuit, was this day received in said Clerk's Office, and pursuant to the order of the said Judge and the statute in such cases made and provided, entered as a vacation order, as follows, to-wit:

"IN THE CIRCUIT COURT OF ACCOMACK COUNTY, VIRGINIA.

In the Matter of the Incorporation of the
Town of Saxis, Accomack County, Virginia

This day came the petitioners, Mary C. Miles and others, by R. Norman Mason and J. Brooks Mapp, their Attorneys, to be heard upon the petition and Exhibit A filed therewith, said petition and Exhibit having been heretofore filed in the papers in this cause; upon the order filed herein on January 9, 1959; upon two petitions filed in the Clerk's Office of the Circuit Court for the County of Accomack, on February 4, 1959, the one being signed by thirty, and the other by forty-five persons, who were qualified to vote at the November, 1958, regular election all of whom reside within the limits of the proposed town of Saxis, both of said petitions asking and petitioning that the petitions filed herein by Mary C. Miles and others be granted, and for the incorporation of the proposed town of Saxis; upon the two affidavits of Annabelle Miles, Joan White and Vernon Drewer, Jr., attached to said petitions, and likewise filed in said Clerk's Office on February 4, 1959, said affidavits stating that only One Hundred and Forty-one (141) residents within the limits of the proposed town of Saxis were qualified to vote at the November, 1958, regular election; upon the letter of February 5, 1959, from V. A. Chandler, Treasurer of Accomack County, certifying that Donald Foster and Moody K. Miles, Jr. were qualified to vote at the November, 1958, regular election, said letter having been filed in said Clerk's Office on February 7, 1959; and upon the petition of Basil C. Lewis filed in said Clerk's Office on February 9, 1959, said petition certifying that said Lewis was qualified to vote at the November, 1958, regular election, and resides within the proposed town of Saxis.

In consideration whereof, the Court having considered the petition for incorporation heretofore filed herein by Mary C. Miles and others, said petition being in the following words and figures, to-wit:

To the Honorable Jeff F. Walter, Judge of the Circuit Court for the County of Accomack, Virginia:

Your undersigned Petitioners respectfully show unto the Court as follows:

(1) That Saxis is an unincorporated Town, or thickly settled community situated in Accomack County, Virginia.

(2) That more than twenty of the undersigned Petitioners are duly qualified voters of and reside within the unincorporated Town or thickly settled community, known as Saxis, Accomack County, Virginia, as shown by the metes and bounds thereof hereinafter set forth.

(3) That the said unincorporated Town of Saxis, as hereinafter set forth by metes and bounds and prayed to be incorporated as a Town, lies in and is wholly situated within the County of Accomack, in the State of Virginia.

(4) That it will be to the best interest of the inhabitants of the said unincorporated Town, a thickly settled community, known as Saxis, as hereinafter set forth by metes and bounds, that the said Town or thickly settled community, be incorporated; that the prayer of your Petitioners in their petition is reasonable; that the general good of the community affected will be promoted by incorporation; that the number of inhabitants of the said unincorporated Town of Saxis within the area prayed to be incorporated exceeds Three Hundred and does not exceed Five Thousand and that the area of land designated to be embraced within the limits of the said Town is not excessive.

(5) That the area included within the limits of the said Town of Saxis prayed to be incorporated is 192.5 Acres and that the metes and bounds of the said Town of Saxis prayed to be incorporated are as follows: Beginning at a point designated on said plat as Point A, which said point is at approximate mean low water mark at the mouth of Ewell's Gut and from thence running along the Pocomoke Sound designated by a line on said plat, as mean low water mark proposed corporate limits to the mouth of Starling Creek and from thence following the said mean low water mark along the approximate Northeast side of Starling Creek to a point which is 55 feet, plus minus from mean low water mark to point number 10, as shown on said plat and from said point on low water mark continuing South 32 degrees 08 minutes 00 seconds W. 55 feet plus minus as aforesaid to point Number 10 as shown on said plat and from thence continuing South 32 degrees 08 minutes 00 seconds West a distance of 156.8 feet to point Number 9 as shown on said plat and from thence following a line designated on the plat as, edge of high land and marsh proposed corporate limits to a point marked D and from this point continuing South 24 degrees 53 minutes West a distance of 208.8 feet to a point marked C and from thence continuing South 30 degrees 46 minutes East a distance of 1262.5 feet to a point marked B in the center of a ditch designated as Ewell's ditch or gut and from thence continuing along the center of said ditch or gut South 69 degrees 22 minutes East for a distance of 375 feet plus minus to the point of beginning.

The metes and bounds hereinabove set out are fully delineated on a plat marked Exhibit A, to be filed with the Court upon presentation of this petition.

Wherefore your petitioners pray that the said unincorporated Town or thickly settled community encompassed within the metes and bounds above set forth not specified, shall be incorporated as the Town of Saxis, under and by virtue of the law of Virginia for such cases made and provided and that all such things may be ordered and done that may be required or necessary for the accomplishment thereof.

And your petitioners will ever pray, etc."

The Court having likewise heard and considered the evidence offered in open Court in behalf of the petitioners, and the evidence offered in opposition to the granting of the petition for incorporation, and the three petitions above referred to of Seventy-six (76) persons residing within the limits of the proposed town of Saxis, who were qualified to vote at the November 1958 regular election, and the aforesaid affidavits that only One Hundred and Forty-one (141) persons residing within the limits of the proposed town of Saxis, were qualified to vote at said 1958 regular election; and it appearing to the Court from the papers heretofore filed herein, and from the aforesaid evidence offered in behalf of the petitioners, and in opposition to the granting of said petition, that said petition, with notice attached of the time and place that same would be presented, was published in full in the Peninsula Enterprise, which is a newspaper published in Accomack County, Virginia, once a week for four successive weeks and posted at the front door of the Court House of the Circuit Court of Accomack County, Virginia, for four weeks, same having been published in said Peninsula Enterprise for four successive weeks from and after the 11th day of September, 1958, and having been posted at the front door of the Court House aforesaid for four successive weeks, beginning with September 10, 1958, which copy of said petition posted at the Court House door was offered at the hearing of the petition for incorporation with the evidence of Wescott B. Northam, said copy being ordered filed in the papers in this cause; and it further appearing to the Court that more than twenty of the signers of said petition are duly qualified voters of the unincorporated town of Saxis, Accomack County, Virginia, within the State of Virginia, within the limits thereof designated in the said petition; and it further appearing to the Court that the said unincorporated town of Saxis as set forth in the metes and bounds thereof in said petition, lies wholly within Accomack County, Virginia; and the Court being satisfied that it will be to the best interest of the inhabitants of said town of Saxis; that the prayer of the petition is reasonable; that the general good of the community will be promoted; that the number of inhabitants of said town exceeds Three Hundred (300), and does not exceed Five Thousand (5,000) within the metes and bounds thereof as hereinafter set out; that the area of the land designated to be embraced within the town is not excessive, the Court doth order and decree that the unincorporated town of Saxis be, and the same hereby is, incorporated as a town by the name and style of the town of "Saxis," with the metes and bounds as follows:

Beginning at a point designated on said plat as point A, which said point is at approximate mean low water mark at the mouth of Ewell's Gut and from thence running along the Pocomoke Sound designated by a line on said plat, as "mean low water mark proposed corporate limit" to the mouth of Starling Creek and from thence following the said mean low water mark along the approximate Northeast side of Starling Creek to a point which is 55 feet, plus minus from mean low water mark to point number 10, as shown on said plat and from said point on low water mark continuing South 32 degrees 08 minutes 00 seconds W. 55 feet plus minus as aforesaid to point Number 10 as shown on said plat and from thence continuing south 32 degrees 08 minutes 00 seconds West a distance of 156.8 feet to point Number 9 as shown on said plat and from thence following a line designated on the plat as "edge of high land and marsh proposed corporate limit" to a point marked D and from this point continuing South 24 degrees 53 minutes West a distance of 208.8 feet to a point marked C and from thence continuing South 30 degrees

46 minutes East a distance of 1262.5 feet to a point marked B in the center of a ditch designated as Ewell's ditch or gut and from thence continuing along the center of said ditch or gut South 69 degrees 22 minutes East for a distance of 375 feet plus minus to the point of beginning.

The area contained within the above boundaries is One Hundred Ninety-two and Five Tenths Acres (192.5 A.), and said area and the metes and bounds hereinabove set out are full delineated on a plat made by J. B. Gibb, C. L. S., dated September 2, 1958, with a legend on said plat of "Map of proposed corporate limits for the town of Saxis, Accomack County, Virginia," which plat was offered in evidence with the evidence of J. B. Gibb, upon the hearing of the aforesaid petition, it being further ordered and decreed that said plat be filed with this decree as a part thereof, and the Clerk record same in the Plat Book in the Clerk's Office of Accomack County.

The Court doth further order and decree that hereafter the inhabitants within the bounds hereinabove set forth shall be a body politic and corporate, with the powers, privileges and duties conferred upon and appertaining to towns under the general law.

It is further ordered and decreed that an election be held on Tuesday, the 9th day of June, 1959 at Lilliston Linton's Store, in the town of Saxis, for the election of a Mayor and six Councilmen for said town, and it is likewise ordered and decreed that said Mayor and six Councilmen, when so elected, shall constitute the Mayor and Councilmen of said town to serve such town for a term of two years beginning on September 1, 1959.

3/18/59

To Robt. M. Oldham, Clerk:

Enter this vacation order.

Jeff F. Walter, Judge of the 31st Judicial Circuit.

PLAT OF TOWN OF SAXIS RECORDED
IN PLAT BOOK NO. 10, PAGE 27.